

THE HONORABLE RONALD B. LEIGHTON

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT TACOMA

NICOLE AND GUY MAEL, NADINE  
VIGLIANO, BRITNEY MOREA, CAROL  
CONWAY, ANGELA BERTUCCI, and  
TINA WIEPERT, on behalf of themselves  
and all others similarly situated,

Plaintiffs,

v.

EVANGER'S DOG AND CAT FOOD  
CO., INC., NUTRIPACK, LLC,  
AGAINST THE GRAIN PET FOODS, and  
SHER SERVICES COMPANY  
INCORPORATED,

Defendants.

NO. 3:17-cv-05469-RBL

VERIFICATION OF COMPLIANCE  
WITH SETTLEMENT PROVISIONS

The Defendants, Evanger's Dog and Cat Food Co., Inc. ("Evanger's Co."),  
Nutripack, LLC ("Nutripack"), Against the Grain Pet Food ("Against the Grain"), and Sher  
Services Company Incorporated ("Sher Services") (collectively referred to as  
"Defendants" or "Evanger's") hereby verify pursuant to Section 2.1(f) of the Settlement  
Agreement approved by this Court that they have complied with the requirements of

Section 2.1, "Changes in Business Practice," and have completed the following requirements:

- a. Implemented the "Changes in Advertising" set out in Section 2.1(a);
- b. Provided the Notice to Distributors and Retailers, set forth in Section 2.12(b); and
- c. Provided the Supplier and Ingredient Safety letter, set forth in Section 2.1(d);

Evanger's has also completed delivery of three cans of pet food to those class claimants entitled thereto under the Final Approval Order and Judgment entered by this Court on June 12, 2020, Dkt. 138.

The undersigned representatives certify that the foregoing statements and representations are true and correct to the best of their knowledge and belief.

Evanger's Dog & Cat Food Co., Inc.  
By: [Signature]  
Date: 1-6-2021  
President

Sher Services, Inc.  
By: [Signature]  
Date: 1-6-2021  
President

Nutripack, LLC  
By: [Signature]  
Date: 1-6-2021  
Manager

Against the Grain  
By: [Signature]  
Date: 1-6-2021

**CERTIFICATE OF SERVICE**

The undersigned certifies that on the 6<sup>th</sup> day of January, 2021, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to all counsel on record in the matter.

s/ Beth Barker  
Beth Barker, Legal Assistant